

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JOSEPH F. HUTCHISON, *et al.*,

Plaintiffs,

-v-

FIFTH THIRD BANCORP,

Defendant.

) Case No. 1:01-789

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) (Judge Beckwith)

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JOINT MOTION TO VACATE
CALENDAR ORDER

Plaintiffs Joseph F. Hutchison and John A. Buchheid as well as Defendant Fifth Third Bancorp hereby move the Court to amend the Calendar Order, extending the deadlines for the remainder of this litigation. In support of this motion, the parties state as follows:

1. On September 19, 2002, this Court issued a Calendar Order to control the remainder of this litigation.
2. Since the entry of the Calendar Order, the Plaintiffs have twice amended their complaint, and Defendant has twice moved to dismiss the complaint.
3. Currently pending before the Court is Defendant's Motion to Dismiss the Second Amended Complaint. The pending motion is not yet fully briefed.
4. Given that the pleadings are still open, the parties request that the Calendar Order be vacated until after the Court rules on the pending motion to dismiss.
5. A form of order is provided for the Court's convenience.

Respectfully Submitted,



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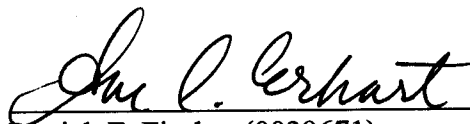
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